

## **REMARKS**

The Office Action, dated September 2, 2008, has been reviewed and the remarks made therein considered. In reply, Applicant requests that this Amendment be entered and reconsideration of the instant application be made in view of the amendments made to the claims and remarks made herein.

Claims 1-13 are pending and stand rejected. Claims 1, 11, and 13 have been amended.

The Specification is objected to for failing to incorporate section headings. The drawings are objected to for failing to include meaningful literal legends in the numerous empty boxes. Claim 13 stands rejected under 35 USC 101 as being directed to non-statutory subject matter. Claims 1-5, and 8-13 stand rejected under 35 USC 102(e) as being anticipated by Early (USP no. 7, 299,307). Claims 6, and 7 stand rejected under 35 USC 103(a) as being unpatentable over Early in view of Yard (USP no. 5, 892, 934).

With regard to the objection to the Specification, Applicant respectfully submits that 37 CFR §1.77(b) discloses a *suggested* format for the arrangement of the disclosure. Applicant respectfully submits that the present disclosure follows the suggested format where applicable. With regard to 37 CFR§1.77(c), which was not cited in the Office Action, Applicant respectfully submits that section headings are suggested but not required, as 37 CFR §1.77(c) clearly states the sections defined in paragraphs (b) (1) through (b) (11) “should” be preceded by a section heading. Applicant respectfully declines to amend the disclosure to include the suggested headings at this time.

With regard to the objection to the Drawings, Applicant thanks the examiner for his observation and has provided, in Appendix A, amended figures 1-6, on three (3) pages, appropriately labeled “Replacement Sheets,” which include labels in the empty boxes. No new matter has been added as each of the labeled boxes is referred to in the Specification.

With regard to the rejection of the claim 13 as being directed to non-statutory subject matter, applicant respectfully disagrees with, and explicitly traverses, the reason for the rejection. However, in the interest of advancing the prosecution of this matter has amended claim 13 to further recite that the instructions are operable in a computer system which performs the claimed steps.

Applicant submits that for the amendments made to claim 13 the reason for the rejection has been overcome and respectfully requests that the rejection be withdrawn.

With regard to the rejection of claims 1-5, and 8-13 under 35 USC 102(e) as being anticipated by Early (USP no. 7, 299,307), applicant respectfully disagrees with, and explicitly traverses, the reason for the rejection. However, in order to advance the prosecution of this matter, independent claims 1, 11 and 13 have been amended to further recite that the digital signal processors include programs that when executed establish the configuration of the configurable multiplexing circuit. No new matter has been added. Support for the amendment may be found at least on page 3, lines 28-29. ("[p]referably, the configuration data is set under control of programs executed by the digital signal processing circuits themselves. This makes configuration self-contained.").

Early discloses a programmable logical semiconductor device tailored for implementing digital signal processing functions. The programmable logical semiconductor device comprises one or more functional user modules and at least one of the function user modules is configurable to implement digital signal processing functions. Early further discloses a computer tool for implementing digital signal processing in a programmable logical semiconductor device comprising a graphical representation of the programmable logical semiconductor device displayed on a display screen, the graphical representation comprising a plurality of processor blocks disposed in an array, a graphical representation of an input/output structure for the processor blocks, a graphical representation of an interconnect matrix of an interconnect matrix for processor blocks and a configuration register for storing configuration data, wherein a selection of an item in a graphical display results in the configuration data being written in the configuration register. Early further discloses screen shoots (see Figures 2 and 4)

for showing how the computer tool is used to configure the programmable logical semiconductor. Hence, Early teaches using the graphic displays of the computer tool to set up the programmable logical semiconductor.

Early fails to provide any teaching regarding the digital signal processors having programs which utilize the configuration data to determine a configuration state of the programmable logical semiconductor, as is recited in the claims.

A claim is anticipated if and only if each and every element is recited in a single prior art reference.

In this case, Early cannot be said to anticipate the invention claims as Early fails to recite a material element recited in each of the independent claims.

Claims 6, and 7 stand rejected under 35 USC 103(a) as being unpatentable over Early in view of Yard (USP no. 5, 892, 934).


Claims 6 and 7 depend from claim 1, which has been shown to include subject matter not disclosed by Early. Yard fails to provide any teaching regarding the digital signal processors having programs which utilize the configuration data to determine a configuration state of the programmable logical semiconductor.

Hence, the combination of Early and Yard fails to teach all the elements recited in claim 1, and consequently, dependent claims 6 and 7.

For all the foregoing reasons, it is respectfully submitted that all the present claims are patentable in view of the cited references. A Notice of Allowance is respectfully requested.

Respectfully submitted,

Aaron Waxler  
Registration No. 48,027



Date: December 1, 2008

By: Steve Cha  
Attorney for Applicant  
Registration No. 44,069

**Mail all correspondence to:**

Aaron Waxler, Registration No. 48,027  
NXP, B.V.  
NXP Intellectual Property Department  
M/S41-SJ  
1109 McKay Drive  
San Jose, CA 95131  
Phone: (408) 434-3000  
Fax: (408) 474-9081